

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

| | | |
|--------------------------------|---|---------------------------|
| TYLER TECHNOLOGIES, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 4:20-cv-00173-TWP-DML |
| |) | |
| LEXUR ENTERPRISES INC., et al. |) | |
| |) | |
| Defendants. |) | |

Order Setting Settlement Conference and Related Deadlines

This case is set for a settlement conference on **December 21, 2020, at 9:30 a.m. (Eastern)**, before Magistrate Judge Debra McVicker Lynch. The settlement conference will be held by **videoconference**. The court will contact counsel by separate email with the information necessary for participation in the conference.

Unless excused by order of the court, clients or client representatives with complete authority to negotiate and communicate a settlement shall participate in the settlement conference along with their counsel. This requires the participation of each party, or the authorized representative of each corporate, governmental, or other organizational entity. Any insurance company that is a party, or is contractually required to defend or indemnify any party, in whole or in part, must have a fully authorized settlement representative participating in the conference. That representative must have final settlement authority to commit the company to pay, in the representative's own discretion, the amount within the policy limits, or up to the plaintiff's last demand,

whichever is lower. The purpose of this requirement is to have a representative available who has the authority to exercise discretion to settle the case during the settlement conference without consulting someone else who is not participating.

No other persons are permitted to participate in the settlement conference without leave of court.


On or before three business days before the conference, the parties shall submit (not file) a confidential settlement statement setting forth a brief statement of: (1) relevant facts, including any key facts that the party believes are admitted or in dispute; (2) damages, including any applicable back pay, mitigation, compensatory and/or punitive damages, or any other special damages; (3) the existence of any applicable liens; and (4) any pending or anticipated dispositive or other substantive motions and citation to controlling precedent in support of their respective legal positions. The confidential settlement statement should not exceed five pages, and submission of exhibits should be kept to a minimum. Confidential settlement statements should be submitted by email to JudgeLynchChambers@insd.uscourts.gov.

The court expects counsel will do what needs to be done in order to be ready for the settlement conference. The court will not look favorably on a motion to continue the settlement conference.

Failure to comply with any of the provisions in this order may result in sanctions.

So ORDERED.

Date: 11/16/2020


Debra McVicker Lynch
United States Magistrate Judge
Southern District of Indiana

Distribution:

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